

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Khurshed Mazhar et al.)

Serial No. 09/411,171)

Art Unit: 2756

Filed: October 1, 1999)

Examiner: _____

For: Windows Radio Toolbar)

#9

PETITION UNDER 37 CFR 1.47
TO FILE APPLICATION WHEN INVENTOR CANNOT BE REACHED

Assistant Commissioner of Patents
 Box DAC
 Washington, DC 20231

RECEIVED

APR 04 2000

Dear Sir:

OFFICE OF PETITIONS
DEPUTY AC PATENTS

Applicants submit this petition to file the above-referenced application under Rule 1.47 due to the fact that one of the inventors, Kevin Warne, could not be reached.

The attached declaration of D. Bartley Eppenauer—the in-house attorney

for the assignee—provides the detailed proof of the pertinent facts in support of the petition. The petition fee in accordance with Rule 1.17(i) is also enclosed.

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As discussed in the attached declaration, neither the assignee nor the inventors have a last-known address for Mr. Warne.

Mr. Warne's last-known employer is Harris & Associates, whose telephone number is (206) 232-9330. Unfortunately, the principal at Harris & Associates, Ray Murphy, would not divulge Mr. Warne's home address or provide other contact information.

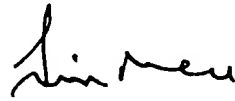
For the foregoing reasons, Applicants respectfully request that this petition be granted.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: March 21, 2000

By:



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